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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,205

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EXAMINER

TALBOT, BRIAN K

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

11/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,205

Applicant(s)

HIRAI, TOSHIMITSU

Examiner

Brian K. Talbot

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application. |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The amendment filed 9/17/07 has been considered and entered. Claims 3,4 and 7-20 have been canceled. Claims 1,2,5 and 6 remain in the application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1,2,5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoi et al. (6,017,259) in combination with Banno et al. (6,761,925).

Motoi et al. (6,017,259) teaches a method of manufacturing electron-emitting device, electron source and image-forming apparatus. The electron emitting device is manufactured by applying an ink containing a material for producing the electroconductive film to a predetermined position of the substrate in the form of one or more drops by an ink jet apparatus, drying and baking to form the electroconductive film. Applying a voltage to the electrodes to produce an electron emitting region (abstract). Looking at Figs. 3A and 3B, Dots (4-1,4-2 and 4-3) are applied between the pair of electrodes (2,3). Ink A was applied to form the dots (4-1 and 4-3) while Ink B was applied to form the center column (4-2) (pg. 11, line 63 – col. 12, line 42 and example 2).

Motoi et al. (6,017,259) fails to teach forming the line pattern by forming the dots in a line with a “space interval therebetween” and filling these “spaced intervals” with a second set of drops to form the line segment.

Banno et al. (6,761,925) reference teaches that film droplets can be deposited in an arbitrary order and that "dots may be deposited at every other dot locations first, and then a dot may be further deposited in each space." (col. 37, lines 34 – 39).

Therefore it would have been obvious for one skilled in the art at the time the invention was made to have modified Motoi et al. (6,017,259) process by forming the side and center regions by depositing dots at every other dot location and then depositing in the space formed between the dots as evidenced by Banno et al. (6,761,925) with the expectation of achieving similar success.

Response to Amendment

4. Applicant's arguments with respect to claims 1,2,5 and 6 been considered but have not been found to be persuasive.

Applicant argued that the prior art fails to teach forming "essentially simultaneously in a plurality of pattern forming areas to form at least two of the film patterns essentially simultaneously".

As noted in the Applicant's arguments, Motoi et al. (6,017,259) and Banno et al. (6,761,925) teach forming a single line pattern and not more than one "essentially simultaneously".

It has been well settled that generally, no invention is involved in the broad concept of performing simultaneously operations which have previously been performed in sequence. *In re*

Tatincloux, 108 USPQ 125. In this case, Motoi et al. (6,017,259) and Banno et al. (6,761,925) teach forming a single line pattern and it would have been obvious for one skilled in the art at the time the invention was made to have modified Motoi et al. (6,017,259) and Banno et al. (6,761,925) process to form the line patterns "simultaneously" with the expectation of achieving similar results as well as the fact of reducing processing time by performing the process simultaneously.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K. Talbot whose telephone number is (571) 272-1428. The examiner can normally be reached on Monday-Friday 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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BK Talbot 11/26/07

Brian K Talbot
Primary Examiner
Art Unit 1762

BKT